

REMARKS

Newly presented Claims 32-55 find support in this application as filed.
Original claims 1-31 have been canceled.

Rejections Under 35 U.S.C. 102

Claims 1, 5, 6, 8, 9, 13, 15, 19, 20, 27 and 30 are rejected under 35 U.S.C. 102(e) as anticipated by U.S. Pat. No. 6,610,077 to Hancock, et al. ("Hancock"). Claims 1-3, 5-7, 10-12, 17-23, 28, 29 and 31 are rejected under 35 U.S.C. 102(e) as anticipated by U.S. Pat. No. 6,540,768 to Diaz, et al. ("Diaz"). It is respectfully submitted that with the cancellation of all of the original claims and the presentation of new claims 32-55, all of the presently pending claims define an invention patentable over Hancock and Diaz. Note that claims 32-55 all require a method of forming "a filter with a wire frame and a fiber matrix, comprising: forming the wire frame by orienting wires to define a periphery of the filter; and electrospinning fibers onto the wire frame to form the fiber matrix shaped to the periphery of the wire frame." Neither Hancock nor Diaz, individually, together or with the other art of record, teach or suggest a method of making a distal protection device for filtering particulate from a fluid in a lumen of a patient's body by, *inter alia*, forming a filter with a wire frame and a fiber matrix, forming the wire frame by orienting wires to define a periphery of the filter; and electrospinning fibers onto the wire frame to form the fiber matrix shaped to the periphery of the wire frame.

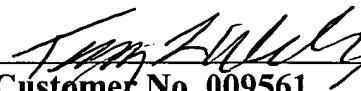
CONCLUSION

Applicant respectfully submits that, in view of the above amendments and remarks, claims 32-55 are in condition for allowance. Should any minor matters remain prior to the issuance of a Notice of Allowance, Applicant requests the Examiner to telephone the undersigned attorney of record to reach prompt resolution thereof.

If any fee is due in connection with the filing of this paper, please charge the fee to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: 4/30/04

By 
Customer No. 009561
Terry L. Wiles (29,989)
Patrick J. O'Connell (33,984)
Cecilia Jaisle (28,824)
POPOVICH, WILES &
O'CONNELL, P.A.
650 Third Avenue South, Suite 600
Minneapolis, MN 55402
Telephone: (612) 334-8989
Attorneys for Applicant